

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 LOCAL 3621, EMS OFFICERS UNION, DC-37, :
 AFSCME, AFL-CIO, individually and on behalf of its :
 members, RENAE MASCOL, and LUIS RODRIGUEZ, :
 on behalf of themselves and on behalf of all other :
 similarly-situated individuals, :
 : 18-cv-4476

Plaintiffs, : MEMORANDUM AND
 : ORDER

-v-

CITY OF NEW YORK, et al., :
 :
 Defendants. :
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LEWIS J. LIMAN, United States District Judge:

Plaintiffs' motion to compel, Dkt. No. 643, is denied.

The request for production of documents is disproportionate to the needs of the case substantially for the reasons stated by Defendants. *See* Dkt. No. 644.

The request that Defendants produce a new 30(b)(6) witness is also denied. Plaintiffs' counsel did not ask any questions of the witness regarding his preparation before precipitously stopping the deposition. *See* Dkt. No. 643-4. Moreover, while Plaintiffs' counsel stated at the deposition that the topic for deposition was "the creation and implementation of defendant's process to determine which members of the Fire Bureau of the FDNY will be promoted from 2004 to present," *id.* at 23, the Court only permitted a deposition on the narrower topic of "the terms and benefits that firefighters are offered through the civil service process that EMS officers are not." Dkt. No. 643-3 at 33. Counsel did not ask for a broader deposition. *See id.* (statement of Plaintiffs' counsel that Plaintiffs would "narrow" the request for a 30(b)(6) deposition on the topic of "[t]he creation and implementation of defendant[s'] process to determine which members of the EMS bureau of the FDNY will be promoted from 2004 to present" to "what some of the details, terms,

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and benefits are for the civil service process that fire officers are granted, which EMS officers are not"). Plaintiffs' counsel did not ask at the deposition whether there are benefits that firefighters are offered through the civil service process that EMS officers are not. Dkt. No. 643-4. Plaintiffs have not shown that the witness was improperly prepared.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 643.

SO ORDERED.

Dated: October 30, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge